Calendar No. 1317

82D CONGRESS, 2d Session | SENATE | REPORT No. 1383

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APRIL 2, 1952.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 5322]

The Committee on the Judiciary, to which was referred the bill (H. R. 5322) for the relief of Kazumi Yamashito, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant a waiver of the racial barrier to admission into the United States in behalf of a minor Japanese child in the custody of United States citizens. The child would be considered to be a nonquota immigrant which is the status normally enjoyed by the alien minor children of United States citizens.

STATEMENT OF FACTS

The beneficiary of the bill is a 2-year-old Japanese child who has been released by his mother for adoption to Tech. Sgt. and Mrs. Edward W. Gentry who are citizens of the United States.

Congressman Paul J. Kilday, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives the following information in connection with the bill:

SIX THOUSANDTH BASE SERVICE GROUP,
APO 925, c/o POSTMASTER,
San Francisco, Calif., September 27, 1951.

Hon. PAUL J. KILDAY,
House of Representatives, Washington 25, D. C.

MY DEAR REPRESENTATIVE KILDAY: Thank you very much for your letter of September 15, 1951, and the copy of the special bill enclosed. Both Mrs. Gentry

and I are extremely grateful for your interest in this matter and for submitting the bill to the House of Representatives. We sincerely hope it will be acted upon in the near future.

We note you say it will be necessary for us to furnish you with copies of the adoption papers. Please understand there is no means available for adopting the child while we are in Japan. Along with our letter to you of August 16, 1951, we sent a certificate of release signed by the mother of the child. This, if you will, is an adoption agreement; i. e., the release of the mother permitting us to adopt the child. The only way in which we can formally adopt the child is to get him to Texas with us where we will adopt him; or for us to wait until the peace treaty is ratified. When the treaty is ratified it is our understanding that we will be able to adopt the child in Japan. This we will do if we are still in Japan. We are very sorry but we are unable to give you any formal papers of adoption. However, we are enclosing a joint affidavit of intent on our part which we hope, together with the certificate of release from the mother, will be satisfactory for your needs.

If we have misinterpreted your request, please advise us further and we will do everything within our power to make your work easier.

Again thank you very kindly for your interest in this matter and be assured both Mrs. Gentry and I appreciate very much your cooperation.

A stamped, addressed envelope is enclosed for your convenience.

Sincerely,

EDWARD W. GENTRY
Technical Sergeant, USAF, AF18011198.

ADOPTION RELEASE

HEADQUARTERS, FAR EAST AIR FORCES,
APO 925, Tokyo, Japan, May 14, 1951.

Know All Men by These Presents:

That I, Michiko Yamashita, a resident of 2–6 Suzaki-Bentencho, Koto-ku, Tokyo, Honshu, Japan (in care of Mr. T. Yoshikawa), do hereby release the custody of my child, Kazumi Yamashita, to Tech. Sgt. Edward W. Gentry and his wife, Fern Gentry, legal residents of San Antonio, Tex., but presently on duty with Far East Air Forces, with military duty station 6000th Base Service Group, APO 925, for adoption by them. I further agree that I will make no future claim for the said child from this day forward and that I grant this release completely and forever. I further agree that the said child may be taken to the United States of America or anywhere the said Tech. Sgt. Edward W. Gentry and his wife, Fern Gentry, may go, without future consent or consideration by me.

The above has been read and interpreted to me in the Japanese language and I do solemnly affirm that I understand the contents and agree to same.

(Signed) Michiko Yamashita,
(Typed) MICHIKO YAMASHITA,
Japanese National, age 19; Occupation, Waitress.

I, Hiroshi Maeda, residing at 38 Shirokane Sarumachi, Shiba, Minato-ku, Tokyo, Japan, an interpreter employed by Headquarters, Far East Air Forces, do affirm that I have read and truly interpreted the foregoing release to Michiko Yamashita, and that she has indicated to me that she thoroughly understands the contents of such a release and agrees to the same.

(Signed) Hiroshi Maeda,
(Typed) HIROSHI MAEDA,
Japanese National; Occupation, Interpreter.

Subscribed and affirmed to before me this 14th day of May 1951.

(Signed) Russell E. Dougherty,
(Typed) RUSSELL E. DOUGHERTY,
Major, USAF, 9985A, Judge Advocate.

A true copy:

Volney F. Morin,
VOLNEY F. MORIN,
Major, USAF, Judge Advocate.

AFFIDAVIT

Know All Men by These Presents:

That we, Edward W. Gentry, technical sergeant, United States Air Force, service number AF18011198, and Fern Gentry, legal residents of San Antonio, Tex., but presently on duty with the Far East Air Forces, with military duty station 6000th Base Service Group, APO 925, c/o Postmaster, San Francisco, Calif., do hereby swear and affirm as follows:

It is our joint, voluntary, and express intent to adopt the child, Kazumi Yamashito, as our lawful and legal child as soon as we return with him to the United States, or as soon as it is possible under Japanese law, whichever occurs the sooner.

In witness whereof we affix our hand and seal this 3d day of October 1951, and we swear this statement was made voluntarily without promise or threat.

[SEAL] EDWARD W. GENTRY,
Technical Sergeant, USAF, AF18011198.

[SEAL] FERN GENTRY,
Wife of Edward W. Gentry.

ACKNOWLEDGMENT

WITH THE ARMED FORCES OF THE UNITED STATES,
Tokyo, Japan, ss:

I, Volney F. Morin, major, USAF, the undersigned officer, do hereby certify that on the 3d day of October 1951, before me personally appeared Edward W. Gentry, technical sergeant, United States Air Force, service number AF18011198, and Fern Gentry, his wife, known to me to be persons subject to military law and to be the persons whose names are subscribed to the above instrument and they acknowledged that they executed the same for the purpose therein contained as their free and voluntary act. The undersigned does certify that he has the general powers of a notary public in matters of this nature, pursuant to an act of Congress approved May 5, 1950 (64 Stat. 107), Article 136, Uniform Code of Military Justice.

[SEAL] VOLNEY F. MORIN,
Major, USAF, AO1851468,
Headquarters, Far East Air Forces, APO 925, Judge Advocate.

MEDICAL CERTIFICATE

HEADQUARTERS, TOKYO GENERAL DISPENSARY,
JAPAN LOGISTICAL COMMAND,
APO 1052, August 17, 1951.

This is to certify that Charles Edwards, 14-month-old foundling in the care of Tech. Sgt. and Mrs. Edward Gentry for adoption, has been examined by us and found to be in excellent health physically and of normal mental status. His blood serology, chest X-ray, and stool examinations are all negative.

HARRY SPITZ,
Lieutenant Colonel MC, Commanding.

MOTOR TRANSPORTATION OFFICE,
FAR EAST AIR FORCES BASE,
APO 925, May 14, 1951.

Subject: Letter of recommendation.

To Whom It May Concern:

1. I have known Tech. Sgt. Edward W. Gentry AF18011198 for a period of 8 months. During this time he has been under my supervision as assistant motor

transportation supervisor and I have had daily contact with him. Technical Sergeant Gentry is a cheerful, congenial, and trustworthy individual.

2. Technical Sergeant Gentry's character and moral conduct are above reproach. It is a great pleasure to recommend him.

(Signed) Clarence A. Simmons,
(Typed) CLARENCE A. SIMMONS,
Master Sergeant, USAF, Motor Transportation Supervisor.

A true copy:

VOLNEY F. MORIN,
Major, USAF, Judge Advocate.

MOTOR TRANSPORTATION OFFICE,
FAR EAST AIR FORCES BASE,
APO 925, August 17, 1951.

Subject: Letter of recommendation.

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1. I have known Tech. Sgt. Edward W. Gentry AF18011198 for a period of 8 months. During this time he has been under my supervision as assistant motor transportation supervisor and I have had daily contact with him. Technical Sergeant Gentry is a cheerful, congenial, and trustworthy individual.

2. Technical Sergeant Gentry's character and moral conduct are above reproach. It is a great pleasure to recommend him.

ROBERT E. GARFIELD,
Captain, USAF, Operations Officer.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 5322) should be enacted.

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